

REMARKS

Claims 1, 5, 10, 18 and 21-23 are pending. Claims 1, 10, 18 and 21-22 were rejected for alleged anticipation by Mezzetti. Claims 1, 5, 10, 18 and 22 were rejected for alleged obviousness over Mezzetti. Applicants respectfully traverse for the reasons of record and as noted below.

DECLARATION OF DR. EBRAHIM FIROOZABADY

The Advisory Action of June 4, 2009 alleges that the figures submitted with Dr. Firoozabady's declaration were of poor quality, and did not support the declaration. Applicants respectfully suggest that the Examiner may have viewed a rasterized version of the figures *created by the Patent Office*, as part of typical electronic scanning procedures employed by the Office, rather than viewing the actual figures sent by the Applicants. The original figures sent by the Applicants with the declaration were extremely high quality color figures that, most definitely, do support Dr. Firoozabady's declaration.

In the interest of expediting prosecution, Applicants enclose herewith another copy of the figures at issue. The figures being sent herewith are high quality color figures. If the Examiner, for some reason, does not have access to these figures, please contact the undersigned to arrange for direct delivery of the figures to the Examiner for consideration.

Applicants respectfully request reconsideration of the Declaration and Request for Reconsideration filed April 6, 2009, in light of the figures.

ARGUMENTS OF THE ADVISORY ACTION

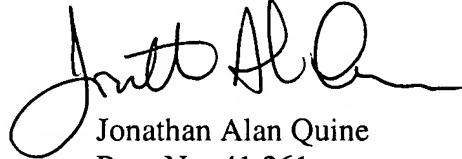
The Advisory Action mischaracterizes Applicants' April 6, 2009 Request for Reconsideration, characterizing Applicants' argument as arguing "that the method of Mezzetti is not an organogenic one." Respectfully, Applicants made no such argument. Applicants have argued-- and presented expert evidence and experimental evidence demonstrating that (1) Mezzetti uses a callus intermediate; and (2) Applicants do not. As a result, Mezzetti teaches the *opposite* of that which is being *claimed*. Applicants teach and claim a "*direct*" organogenic method, while Mezzetti alleges an "*indirect*" method. The rejection must be withdrawn.

CONCLUSION

Applicants hereby request an Examiner Interview with the Examiner and the Examiner's Supervisor in the event that any rejections remain after consideration of this submission.

QUINE INTELLECTUAL PROPERTY LAW GROUP
P.O. BOX 458, Alameda, CA 94501
Tel: 510 337-7871
Fax: 510 337-7877
PTO Customer No.: 22798
Deposit Account No.: 50-0893

Respectfully submitted,



Jonathan Alan Quine
Reg. No: 41,261

Attachments:

- 1) A petition to extend the period of response for 2months;
- 2) A transmittal sheet;
- 3) A fee transmittal sheet;
- 4) Applicant Initiated Interview Request Form;
- 5) Appendix A: Figures originally submitted on June 4, 2009;
- 6) Information Disclosure Statement;
- 7) PTO-1449 Form;
- 8) 2 References Enclosed;
- 9) A receipt indication postcard.